

TOWNSHIP OF WALL**ORDINANCE NO. 14-1996**

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER XIV, "LAND USE AND DEVELOPMENT REGULATIONS" OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, AND REPEALING ORDINANCE NO. 6-1990, OF THE TOWNSHIP OF WALL.

WHEREAS, on August 15, 1990, the Township Committee adopted Ordinance No. 6-1990, which Ordinance provided for the creation of the ML-PD-GM, Mt. Laurel Planned Unit Golf Course/Country Club and Multi-Family District in the Township, and further provided for the inclusion of Lots 1 and 2 in Block 898 in said Zone; and

WHEREAS, the purpose of the aforesaid Ordinance was to effect a portion of the Wall Township Mt. Laurel Compliance Plan pursuant to the terms of a Developer's Agreement approved by Honorable Eugene D. Serpentelli, A.J.S.C. in the matter of Cove Industries, Ltd. v. Wall Township and related Mt. Laurel cases, under Docket Number L-51262-84; and

WHEREAS, the applicable Developer's Agreement provided that the owner-developer of the aforesaid property was to make certain payments to the Wall Township Affordable Housing Trust Fund; and

WHEREAS, the developer/former owner failed to make the initial payment required under the terms of the Developer's Agreement and the property was the subject of a foreclosure action by the first mortgagee and ownership of the property has been or is about to be transferred to the Brick Township Municipal Utilities Authority;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth, and State of New Jersey, as follows:

Section 1. Ordinance No. 6-1990 of the Township of Wall, finally adopted by the Township Committee on August 15, 1990, be and the same is hereby repealed.

Section 2. Chapter XIV, "Land Use and Development Regulations" of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Article Six, "Affordable Housing Regulations", be and the same is hereby further amended and supplemented by the deletion therefrom of the following section:

"600B.14 ML-PD-GM PLANNED DEVELOPMENT/GOLF ZONE (Ordinance No. 6-1990)", and the substitution therefor of the following:

"600B.14 (Reserved)"

Section 3. Block 898, Lot 2, as shown on the Tax Assessment Map of the Township of Wall, be and is hereby rezoned from "ML-PD-GM" to "RR", as said zoning existed on the Zoning Map of the Township of Wall prior to the adoption of Ordinance No. 6-1990. Block 898, Lot 1 and Block 896, Lot 2, as shown on the Tax Assessment Map of the Township of Wall, be and the same are hereby rezoned from "ML-PD-GM" and "RR" respectively, to "RR-5".

Section 4. Chapter XIV, "Land Use and Development", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Article IV, "Zoning", Section 14-404, "Zoning Map and Districts", Subsection 14-404.4, "Maintenance of the Official Zoning Map", be and the same is hereby further amended and supplemented by the addition thereto of the following subparagraphs:

"cc.(400B.7.cc) To delete the following property from the ML-PD-GM Zone and to include the same within the RR Zone: Block 898, Lot 2".

"dd.(400B.7.dd) To delete the following property from the ML-PD-GM and RR zones respectively and to include the same within the RR-5 zone: Block 898, Lot 1 and

Block 896, Lot 2".

(The aforesaid properties are located on Herbertsville Road and were formally known as the Derry City Sand & Gravel Property).

Section 5. All Ordinances, or parts thereof, inconsistent with the provisions of the Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 6. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 7. This Ordinance shall take effect upon its passage and publication according to the law, and upon its approval by the Court in the matter of Cove Industries, Ltd. v. Township of Wall, and related cases, Docket No. L-051262-84.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on June 12, 1996 and will further be considered for final passage and adopted at the Wall Township Municipal Building , 2700 Allaire Road, Wall, New Jersey, on July 17, 1996 at 8:00 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk